

REMARKS

Introductory Comments

Reconsideration of the above-identified application in view of the above amendments and following arguments is respectfully requested.

Claims 1-2, 4-7 and 11-12 are pending and under consideration. Claims 1, 4 and 7 have been amended. The amendments to claims 1 and 4 will be discussed in more detail below. Claim 7 has been amended to correct a typographical error. Claim 12 has been deleted. No new matter has been added as a result of these amendments.

Drawings

In the Office Action, the Examiner stated that Applicants should amend the specification to delete any figures (such as Appendix 1-4) which consist only of nucleic acid or protein sequences that have been submitted in their entirety in computer readable format and that Applicants should amend the specification accordingly to reflect the replacement of these figures by the appropriate SEQ ID NO. Additionally, the Examiner also objected to Figure 1 as being too dark for interpretation.

In response to these objections, Applicants have deleted the reference to Appendices 1-4 on pages 18-19 of the specification and have amended page 18 to refer to the appropriate SEQ ID NOS. as suggested by the Examiner. Applicants thank the Examiner for this helpful suggestion.

With respect to Figure 1, Applicants herewith enclose a new Figure 1, marked as "Amended" for review and consideration by the Examiner.

Objection to the Specification

The specification was objected to because it does not contain a reference to and a brief description of the drawings. Applicants have amended the

specification to include a brief description of the drawings. In view of this amendment, Applicants respectfully request that this objection be withdrawn.

Claim Objections

Claim 12 was objected to for several informalities. Claim 12 has been canceled. Therefore, this objection is now moot.

Claim Rejections – 35 U.S.C. Section 112, 2nd Paragraph

Claims 1-2 and 4-7 are rejected under 35 U.S.C. Section 112, second paragraph as being indefinite. Specifically, the Examiner argues that claims 1 and 4 are indefinite because it is unclear what is meant by the terms “neuroleptic syndrome” and “neuroleptic induced disorders”. Applicants respectfully traverse this rejection.

While disagreeing with the Examiner’s rejection, in an effort to expedite prosecution, Applicants have amended claims 1 and 7 to refer to “neuroleptic malignant syndrome”. Support for this amendment can be found on page 1, line 36 of the specification.

With respect to the phrase “neuroleptic induced disorders” recited in claim 4, Applicants submit that this phrase is well known to those skilled in the art and refers to a side effect that can result from neuroleptics. Additionally, Applicants further submit that another well known side effect of neuroleptics is “neuroleptic malignant syndrome”. In support of Applicants arguments herewith, Applicants enclose a definition of “neuroleptics” from a German dictionary. An English translation of said definition is also enclosed. In the second paragraph of the English translation it specifically states:

“Therefrom the typical side effects: 1) early neuroleptic-induced extrapyramidal motor disturbances (parkinsonian, akinetic abulisches syndrome, Dyskinesia, Dystonia, movement unrest [Akathisia]); 2) late neuroleptic-induced extrapyramidal motor disturbances (late Dyskinesia, Dystonia, Akathisia, Myoclonus, Tics); 3) malignant neuroleptic syndrome

with Rigor, Stupor, consciousness and cycle disturbances, high fever (possibly life-threatening); 4) furthermore vegetative, hormoneal and psychological disturbances as well as allergic reactions" (emphasis added).

Therefore, in view of the aforementioned amendments and arguments, Applicants submit that this rejection should be withdrawn.

Claim Rejections – 35 U.S.C. Section 112, First Paragraph

Claims 1-2, 4-7 and 11-12 are rejected under 35 U.S.C. Section 112, first paragraph as being enabling for claims limited in scope to a method for treating psychosis in a human by administering to said human haloperidol. The Examiner says that the specification does not enable claims for treating neuroleptic malignant syndrome or psychosis in a human by administering to said human any compound which modifies homer expression nor for the treatment of an unspecified disease as recited in claim 12. Applicants respectfully traverse this rejection.

As discussed previously herein, claim 7 has been amended to recite "neuroleptic malignant syndrome". Claim 12 has been deleted. With respect to the Examiner's argument that the specification does not enable claims that involve administering a compound which modifies homer expression, Applicants direct the Examiner's attention to Example 18b. Example 18b shows the treatment of a neuroleptic syndrome using compounds SIB-1893 and MPEP (see page 10, lines 40-42). Additionally, page 6, lines 37-39 states that "[H]omer gene expression induced by treatment with amphetamine is reduced in brain frontal cortex by administering compounds MPEP and SIB-1893."

Therefore, Applicants submit that together with Example 18a, Applicants have shown that Homer is a new target for the treatment of psychosis or malignant neuroleptic syndrome and that compounds that either up regulate (such as haloperidol) or down regulate (such as MPEP and SIB-1893 as shown

in Example 18b) Homer expression are capable of acting as active agents for treating the aforementioned disease.

Thereupon, in view of the aforementioned arguments, Applicants submit that the claims are adequately enabled by the specification and that the rejection of claims 1-2, 4-7 and 11-12 are rejected under 35 U.S.C. Section 112, first paragraph should be withdrawn.

Claim Rejections – 35 U.S.C. Section 102(b)

Claims 1-2, 4-5 and 12 are rejected under 35 U.S.C. Section 102(b) as being anticipated by Pratt et al. The Examiner states that Pratt et al. teach the treatment of schizophrenia in humans comprising the administration of haloperidol. Applicants respectfully traverse this rejection.

As discussed previously, claim 12 has been deleted. Claims 1 and 4 have been amended to disclaim haloperidol from the homer expression modifying compounds encompassed by each of these claims. Therefore, in view of these amendments to claims 1 and 4, Applicants submit that this rejection is now moot and should be withdrawn.

CONCLUSION

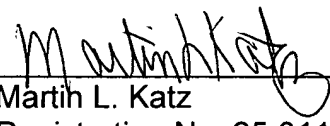
Applicants respectfully submit that the claims are now in condition for allowance. Accordingly, a Notice of Allowance is believed in order and is respectfully requested.

Should the Examiner have any questions concerning the above, she is respectfully requested to contact the undersigned at the telephone number listed below. If the Examiner notes any further matters which the Examiner believes may be expedited by a telephone interview, the Examiner is requested to contact the undersigned.

Respectfully submitted,

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